

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 NICHIA CORPORATION,

No. C 06-0162 MMC

12 Plaintiff,

**ORDER GRANTING IN PART AND
DENYING IN PART DEFENDANTS'
ADMINISTRATIVE MOTION TO FILE
CONFIDENTIAL DOCUMENTS UNDER
SEAL**

13 v.

14 SEOUL SEMICONDUCTOR CO.,LTD., et al.,

15 Defendants

/

17 Before the Court is defendants' "Administrative Motion to File Under Seal

18 Unredacted Versions of its Response to Nichia's Objections to the March 19th Order and
19 Hom Declaration in Support of its Response," filed April 27, 2007. In said motion,
20 defendants seek leave to file under seal documents defendants and/or plaintiff have
21 designated as confidential.

22 To the extent defendants seek leave to file under seal documents assertedly
23 designated as confidential by plaintiff, the motion is hereby DENIED, because plaintiff has
24 failed to file, within the time provided under Civil Local Rule 79-5(d), a declaration
25 establishing that any such document is sealable. (See Order Deferring Ruling on Defs.'
26 Admin. Mot., filed May 1, 2007, at 2:4-7.)

27 To the extent defendants seek leave to file under seal documents designated as
28 confidential by defendants, the Court, having reviewed the Supplemental Declaration of

1 Judith S. H. Hom filed May 4, 2007, finds the portions of the documents identified by
2 defendants therein as confidential are sealable. Accordingly, to such extent, the motion is
3 hereby GRANTED, and the Clerk is DIRECTED to file under seal the unredacted version of
4 (1) "Seoul Semiconductor Defendants' Response to Nichia's Objections to the March 19th
5 Order Denying Nichia's Motion to Compel," and (2) "Declaration of Judith S. H. Hom in
6 Support of the Seoul Semiconductor Defendants' Response to Nichia's Objections to the
7 March 19th Order Denying Nichia's Motion to Compel."

8 In that regard, however, defendants do not assert that the entirety of the response
9 and supporting declaration are confidential. Accordingly, defendants are hereby
10 DIRECTED to file in the public record, no later than May 21, 2007, a redacted version of
11 said response and supporting declaration, such that only the material identified as
12 confidential by defendants, in the above-referenced Supplemental Declaration of Judith S.
13 H. Hom, has been redacted therefrom. If defendants fail to timely file such redacted
14 version of the response and supporting declaration, the Court will strike the unredacted
15 versions thereof from the record.

16 **IT IS SO ORDERED.**

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18 Dated: May 16, 2007
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MAXINE M. CHESNEY
United States District Judge